

# **Exhibit A**

**COMPUTER & INTERNET MONITORING PROGRAM  
PARTICIPANT AGREEMENT**

Pursuant to the special condition of my release requiring monitoring of my computer and/or Internet activity, I, DAVID KAYE have been placed in the Computer/Internet Monitoring Program and agree to adhere to the following:

- 1) I agree to pay the cost of monitoring. ✓
- 2) I understand the U.S. Probation and Pretrial Services Officer (hereafter referred to as the USPO) will use telephone calls, personal visits and monitoring software to monitor my compliance. I further understand that any computer and/or other device which allows Internet access in my residence, is subject to random examinations/analysis/searches by the USPO. ✓
- 3) I will allow the monitoring software to be installed on computer system(s) and authorize my USPO to inspect, maintain and troubleshoot any software installed on my computer system(s). ✓
- 4) I agree not to attempt to remove, disable, inhibit, damage or circumvent any part of any monitoring software installed on my system by the USPO. ✓
- 5) I understand the USPO is not liable for any damages incurred as a result of the installation of the computer program, or by my tampering with the computer program. I understand that any and all damages which may result in my participation in computer monitoring, including but not limited to the use or tampering with the program, are solely my responsibility. ✓

I fully understand and agree to the following additional directives: (Check all that apply)

- ☒ I shall only use a computer that I have been authorized to use. I shall not possess or permit another individual to bring or possess an unauthorized computer in my home. I shall log in on my authorized computer using my assigned user name.
- ☒ I am permitted to use authorized computer systems at my place of employment for employment purposes only.
- ☒ I am permitted to use authorized computer systems at the educational facility where I am enrolled.
- ☒ I shall not access any Internet Service Provider account or other online service using an alias or another person's name, account, or designation.
- ☒ I shall not utilize any service which conceals or spoofs my Internet Protocol address.
- ☒ I may only access the Internet or other online service via an account pre-approved and authorized by my Probation Officer.
- ☒ I may only access email accounts, instant messaging services, chat rooms and/or other online environments which allow for user interaction via accounts pre-approved and authorized by my Probation Officer.
- ☒ I shall not establish any web site or electronic host at my residence or at any other location.
- ☒ I shall not access any chat room or other online environment which allows for interaction with other users.

- ☒ I shall not maintain or access any instant messaging account and/or service.
- ☒ I shall not use or own any device which allows Internet access other than authorized by my USPO. This includes, but is not limited to, satellite dishes, PDAs, electronic games, web-televisions, Internet appliances and cellular/digital telephones.
- ☒ I may not view, access, possess and/or download any pornography depicting minors.
- ☒ I shall not engage in or utilize any service which allows peer-to-peer file sharing, ftp activity or other similar conduct (i.e., Kazaa, IRC).
- ☒ I shall not engage in peer-to-peer file sharing, ftp activity or other similar conduct which promotes or allows for the possession, trading, distribution, etc. of pornographic material which includes but is not limited to images (.jpg, .bmp, .gif), movie files (.mpg, .wmv), etc. *net flex?*
- ☒ I shall not purchase, download, possess and/or install any freeware/shareware/software application, etc. without preapproval and authorization from my USPO.
- ☒ I shall not use any freeware/shareware/software application or other device which wipes (secure file deletion) disk space, drives, etc. unless approved by my USPO.
- ☒ I shall not purchase, download, possess, install and/or use any spyware detection application, system monitoring application, keystroke logger or similar application unless approved by my USPO.
- ☒ I shall not change or attempt to change, circumvent or disable any restrictions and/or settings established by my USPO, my Internet Service Provider, or monitoring software/hardware. This includes, but is not limited to, adult content filtering, chat room/instant messaging access, and any blocked sites.
- ☒ I shall not own or use CD/DVD-bootable operating systems.
- ☒ I shall not change, re-install or upgrade the current operating system (i.e., Windows, Linux, etc.) on any authorized computer without preapproval and authorization by my USPO.
- ☒ I shall not have another individual access the Internet on my behalf to obtain files or information which I am restricted from accessing myself.

I acknowledge that I have received a copy of these directives and that they have been explained to me. I understand that I must comply with these directives and any violation may be reported to the Court or U.S. Parole Commission and may result in immediate adverse action.

David Kgo  
Participant

Deborah Thoup  
U.S. Probation/Pretrial Services Officer

1/24/12  
Date

1/24/12  
Date